

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

EMPLOYEES COMMITTED FOR JUSTICE,
et al.,

Plaintiffs,

- VS -

EASTMAN KODAK COMPANY,

Defendant.

6:04-CV-06098-CJS(F)

**STIPULATION AND
ORDER**

WHEREAS, counsel for the parties held a telephonic conference with the Court on August 18, 2010 concerning the service payments to the class representatives set forth in paragraph 4.1 (the “Service Payments”) of the Settlement Agreement filed on June 2, 2009 (the “Settlement Agreement”) (Docket No. 313);

WHEREAS, during the final fairness hearing, the Class Representatives agreed to a reduction of the Service Payments to \$50,000, and the Court inquired where the residual monies would be allocated;

IT IS HEREBY STIPULATED AND AGREED by the parties that if the Court approves the reduction of the Service Payments set forth in paragraph 4.1 of the Settlement Agreement, then the remainder of the portion of the Settlement Fund, as defined in paragraph 1.21 of the Settlement Agreement, allocated for the original Service Payments, left after subtracting the amount of the Service Payments as reduced by the Court, may be re-allocated to the portion of the Settlement Fund allocated to pay individual monetary awards pursuant to paragraph 5.1(c) of the Settlement Agreement, also known as payments to “Category C” class members, as that phrase is used in the class notice.

Dated: August 24, 2010

s/Shanon J. Carson
Shanon J. Carson
Berger & Montague

s/Michael S. Burkhardt
Michael S. Burkhardt
Morgan, Lewis & Bockius LLP

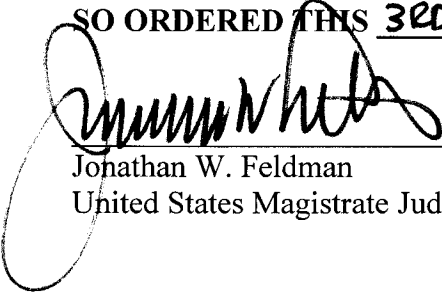
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SO ORDERED THIS 3RD DAY OF SEPTEMBER, 2010.



Jonathan W. Feldman
United States Magistrate Judge